

# ANTI-CORRUPTION STRATEGY



**Rulebook for Union representatives**

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**Sindikat radnika trgovine  
i uslužnih djelatnosti BiH**

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# VISION OF THE STRATEGY

The Trade Union of Trade and Service Workers (STBiH) will strengthen its position among members and professional associations and be a model of good governance, integrity, accountability and transparency. As such, it will not tolerate corruption and will use all mechanisms to prevent it. STBiH members and the public will have confidence in the rule of law within STBiH and its institutions, which will be effective, efficient and reliable.

## THE GENERAL GOAL OF THE STRATEGY

The general goal of the Strategy is to eliminate corruption, as an obstacle to economic, social and democratic development, as much as possible, and to take clear actions to prevent any potential corrupt activities in the Trade Union and Service Activities of BiH (STBiH), and if they occur, sanction them.



Strengthening integrity, accountability and transparency in the work of STBiH.



Creating preconditions for preventing corruption at all levels and potential damage caused by the work of third parties.



Affirming the zero tolerance approach to corruption.



# FACTORS THAT CONDITION CORRUPTION

## ▶ ECONOMIC

Includes levels of development, patterns of wealth accumulation, wages, economic structure and openness to trade, sources of income, illegal financial flows, non-transparent transformation of ownership through various forms of abuse in privatization, excessive, inadequate and illintentioned state intervention in the economy, non-compliance with market laws, etc.

## ▶ POLITICAL

Includes different types of political systems e.g. different types of political systems and state social dynamics, the struggle for power and authority at different levels. The political causes of corruption are based on the existence of informal centers of power, the way political parties function and finance, the inaction of inspection services, and the allocation of a large part of GDP by the state and the lack of accountability mechanisms.

## ▶ INSTITUCIONAL

These forms of corruption occur in cases of poor organizational structures of the institution, administrative procedures that allow corrupt practices, lack of interal and external control of the administration and administrative procedures, incompetence of institutions made up of inadequate public services, where employment is based on party affiliation, nepotism, instead of according to the criteria of expertise and professionalism.

## ▶ SOCIOLOGICAL/ANTHROPOLOGICAL

Includes socio-cultural logic, giftgiving and solidarity networks.

## ▶ LEGAL

Refer to the inconsistency of legal regulations, the absence of adequate or full functioning justice sector (courts and prosecutor's offices) and the Objective measurements and supervision of their work.



## CATEGORIES OF CORRUPTION AND DESCRIPTIONS OF POSSIBLE INTERNAL ACTS OF CORRUPTION WITHIN STBIH

<b>Abuse of position or authority</b>	Exploitation of official position or authority, exceeding the limits of official authority or non-performance of official duty.
<b>Careless work in the service</b>	Careless work of members of the Management Board of STBIH, elected representatives and members of the Trade Union is any behavior of individuals within the legal entity, which through its negligent work causes damage to the same.
<b>Receiving gifts and other forms of benefits</b>	Receiving gifts and other forms of benefits are defined as a special form of abuse of position or authority.
<b>Bribery</b>	An act of dishonestly persuading someone to act in someone's favor through payment or other incentives. Incentives may come in the form of gifts, loans, fees, rewards or other reliefs (levies, services, donations, etc.).
<b>Embezzlement</b>	Misdirection or misuse of funds and / or goods entrusted to someone or under someone's supervision. From a legal point of view, embezzlement does not necessarily involve corruption.
<b>Disbursements for relief</b>	A smaller payment, often referred to as a "quick payment" or "lubrication", with the aim of providing or speeding up the performance of a regular or necessary action.



<b>Arranging</b>	An agreement between two or more parties designed to achieve an inappropriate purpose and improperly influence the actions of others
<b>Extortion</b>	The act of damaging, causing damage or threatening to damage or causing damage, directly or indirectly, to any person or property of a person with the aim of improperly influencing his actions.
<b>Patronage, clientelism and nepotism</b>	Patronage at its core is the support provided by the patron, and refers to the practice of direct appointment of persons.
<b>Abuse and disclosure of classified business information</b>	Abuse or disclosure of a trade secret is the disclosure of any information or document that is determined by law, other regulation or general act as a business secret, due to which disclosure to an unauthorized person could have harmful consequences for the interests of STBiH.
<b>Use of property for private purposes</b>	The use of STBIH property for private purposes is any type of use of movable and immovable property for private purposes.
<b>Influence trade</b>	Influence trade is the direct or indirect claiming, receiving / accepting of a reward or other benefit, and the promise of a reward or other benefit, using its actual or presumed official / social / influential position to mediate that an official / responsible person performs or does not perform an official duty.
<b>Different forms of fraud</b>	Fraud is an act when a person in a work environment, using his or her powers, deliberately deceives someone in order to obtain illegal material or any other benefit or in order to achieve an unfair or illegal advantage.
<b>Evasion of cash and non-cash funds by staff</b>	Evasion of money and non-money means the intention to obtain illegal property gain for oneself or another.
<b>Krada imovine STBIH</b>	Theft of property by members of the STBIH Management Board, elected representatives and members of the Trade Union and / or other forms of alienation of STBiH property.

# RISK ASSESSMENT IN THE AREAS OF STBiH

Overview of specific and common areas of STBiH within which it is necessary to consider and analyze the risks of corruption or any other unethical and unprofessional behavior

Area of activity of STBiH	Sub-areas within which risks need to be identified and analyzed
<b>Specific areas of STBiH</b>	Specific areas of STBiH are defined by special competencies that each institution has separately, and are based on laws and other relevant bylaws. Specific areas are the areas for which STBiH, based on a special law, was established.
<b>COMMON AREAS OF STBiH</b>	<ul style="list-style-type: none"> <li>• Management and governance of STBiH</li> <li>• Management of material and financial resources of STBiH,</li> <li>• Project funds management and especially grant management</li> <li>• Procurement Management of STBiH</li> <li>• Document management (office operations)</li> <li>• Human resources management</li> <li>• Security</li> <li>• Ethics and personal integrity</li> <li>• Conflict of interests</li> <li>• Receiving gifts</li> <li>• Effective treatment of reports of corruption, ethically and professionally unacceptable practices</li> <li>• Protection of whistleblowers (persons reporting corruption)</li> </ul>

# WORKING BODY WITHIN STBiH

Given the human resources of STBiH, it is necessary to establish a Working Body in charge of anti-corruption policies and strategies. This working body will be appointed by the Council of Delegates which is responsible for making all decisions related to the work of the Working Body.

## THE COMPETENCIES OF THE WORKING BODY



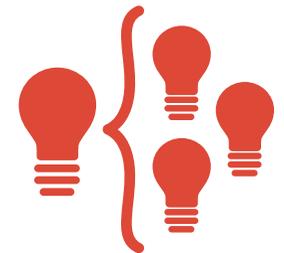
Development of the Anti-Corruption Strategy and Corruption Prevention Plan;	Conducting an initial assessment of the possibility of corrupt behavior and identifying processes where corruption risks may occur;
Coordination and supervision over the implementation of the Strategy, and giving opinions and instructions on the issue of their implementation;	Collection and analysis of all existing control mechanisms that prevent the occurrence of corruption risks, including laws, bylaws, STBiH policies, practices in the implementation of procedures and similar;

Analyzing the submitted data in order to determine the occurrence of corrupt practices, and taking the necessary measures in accordance with the law;	Gathering information from members of the STBIH Board of Directors, elected representatives and members of the Trade Union on risky processes and the possibility of corruption through an anonymous questionnaire and, if necessary, through interview techniques if deemed necessary;
Collecting and analyzing statistical and other data, and informing all relevant entities in STBiH about the results of the research;	Identifying, analyzing and assessing risk processes in which corruption risks may arise;
Acting on received reports with indications of corrupt behavior in accordance with applicable regulations;	Checking the impact of existing control mechanisms on the prevention of corruption and corruption risks within the STBiH;
Monitoring the effects of the implementation of active laws and bylaws aimed at preventing corruption and providing opinions and instructions on the issue of their implementation;	Assessment of the consequences of corruption and corruption risks within all processes of STBiH functioning;
Publication of information on the state of the fight against corruption in STBiH;	Periodic training in the direction of action against corruption and communication with state, entity and cantonal Anti-Corruption Agencies, as well as with the non-governmental sector whose basic directions of action are aimed toward the fight against corruption.

## PRINCIPLES OF THE FIGHT AGAINST CORRUPTION IN STBIH

The internal public defined by the Strategy consists of all members of the Union who are directly or indirectly involved in the work and development processes of the Union.

The external public defined by the Strategy consists of all publics related to the planned activities, to which the activities concern, who participate or will participate in the planned activities, and who have or will benefit from the activities in the future.



The principle of transparency through the implementation of the Law on the Right to Access Information

Principle of good practice through harmonization of STBIH policy with best practice for effective fight against corruption

Principle of cooperation with civil society through cooperation with them

The principle of prevention through the adoption and implementation of measures for the systematic elimination of corruption causes

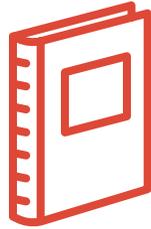
The principle of responsibility through the full responsibility of the management structure for the creation and effective implementation of STBIH policy

The principle of cooperation through joint action of all levels of STBIH

The principle of the rule of law through the obligation to follow legal procedures

The principle of efficiency through constant progress in the creation and implementation of measures to prevent corruption

The principle of self-assessment through monitoring the implementation of STBIH business activities, risk assessment and taking appropriate measures



# RULEBOOK FOR THE IMPLEMENTATION OF THE INTEGRITY PLAN AND STRATEGY FOR THE FIGHT AGAINST CORRUPTION

## THROUGH THE LISTED ELEMENTS OF THE FIGHT AGAINST CORRUPTION, STBiH WILL:

### Do business in accordance with the highest standards of ethics and integrity

This principle implies that a clear and unambiguous zero tolerance rate for corruption is expressed, and that the management and supervisory structures of STBiH continuously emphasize the importance of awareness of zero tolerance rate for corruption. Realization and implementation of this principle implies that STBiH has a code of conduct that clearly indicates what behaviors are not allowed and what behavior is expected by members of the STBiH Board of Directors, elected representatives and trade union members in performing daily activities.

### Establish best practices for managing and overseeing the integrity plan

The principle implies that the best way to implement the integrity plan is ensured. In the context of the competencies of STBiH bodies given in the laws governing associations, the STBiH Board of Directors will state in its business plan that it is of special interest for STBiH to ensure full compliance with the law in the field of business where corruption risks are evident.

### Accountability to members through transparency and public reporting

Accountability to members will be achieved by making reports available to STBiH containing information on the level and effectiveness of the implementation of the integrity plan.

### Implement an integrity plan based on risk assessment

A quality integrity plan cannot be implemented unless a corruption risk assessment is conducted, through the identification of sectors that perform certain tasks that are risky from the aspect of corruption, as well as certain processes within the STBiH.

### Implement policies and procedures to avoid the risk of cor- ruption

This principle is directly related to the above. In order to ensure the realization of this principle, it is necessary, based on the risk assessment of corruption, to create policies, procedures and activities that will ensure that the risk is significantly reduced in a way that e.g. avoid conflicts of interest, encourage transparency in work and so on.

### Control relations with third parties in order to ensure anti-corruption standards

The relationship with third parties is one of the major risks of corruption in STBiH. To this end, STBiH will provide effective third-party control mechanisms to avoid the risk of corruption. These controls include checking for possible conflicts of interest on the part of the members of the STBiH Board of Directors, elected representatives and members of the Trade Union.

### Communicate with members about the provisions of integrity plans through continuous training

Fulfillment of this principle is achieved through annual education of members on anti-corruption measures and integrity plan.

### **Provide an easily accessible channel for reporting corruption**

A key aspect in the implementation of a successful integrity plan is the existence of a system through which members will anonymously and completely freely report all forms of irregularities, without the risk of retaliation. In this regard, STBiH will provide a channel for reporting corruption.

### **Perform continuous monitoring, evaluation and improvement of the integrity plan**

STBiH will regularly monitor its implementation of the integrity plan, analyze the existing provisions of the plan, as well as continuous improvement.

**According to the Categories of Corruption and Possible Internal Corrupt Acts within STBiH, described in the text of the Strategy, all members of the Steering Board of STBiH, elected representatives and members of the Trade Union are strictly prohibited from:**

- Disbursements for relief
- Use of STBiH property for private purposes
- Abuse of position or authority
- Evasion of cash and non-cash funds
- Bribery
- Arranging
- Patronage, clientelism and nepotism
- Extortion
- Abuse and disclosure of classified business information
- Embezzlement
- Different forms of fraud
- Influence trade
- Receiving gifts and other forms of benefits
- Careless work in the service
- Theft of STBiH property

**When identifying and analyzing risks within all the above processes and areas, the Working Group for Corruption Risk Assessment pays special attention to:**

- the existence of adequate regulations to prevent emergence and development of corruption within the STBiH that should be assessed in all segments

- are there regulations needed to carry out this process (law, bylaw, internal act/instructions/procedures)?
- are the existing regulations precise, harmonized, clear?
- does the existing regulation contain provisions limiting discretionary powers?
- does the existing regulation contain provisions on liability and consequences for noncompliance/breach of obligations and rules?

### **THE RECOMMENDED MEASURES AND ACCOMPANYING ACTIVITIES WILL CONTRIBUTE TO:**

- ensuring the highest standards of ethics and integrity in the entire business of STBiH;
- ensuring consistent application of all regulations within STBiH;
- establishing clear competencies and obligations of STBiH bodies (internal control) for detecting all types of illicit behavior, including corrupt;
- ensuring transparency and openness in the implementation of all processes in the functioning of STBiH;
- establishing a clear system of obligations and responsibilities within STBiH and culture where any type of corrupt activity will be detected and adequately sanctioned;
- establishing clear communication channels and openness to state anti-corruption institutions, Trade Union partners and the public in which the anti-corruption commitment and operations of STBiH are clearly emphasized;
- ensuring that all procedures, policies and other internal acts are in line with the anti-corruption priorities and principles of the STBiH;
- establishing a personnel policy and activities that will be fully harmonized with the anti-corruption priorities and principles of the STBiH;
- ensuring continuous education of members on the importance of anti-corruption efforts of STBiH and understanding of the importance of anti-corruption activities;
- establishing effective communication channels for internal and external reporting of corrupt behavior and occurrences;
- providing advisory support to persons who report corruption and full protection of their rights (Whistleblower Protection), etc.

## **UNION BY MEASURE OF WORKERS**

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